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7

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 RICHARD GLEN COLTER)
)
11 Plaintiff,)
)
12 v.) 2:11-CV-00630-PM-(RJJ)
)
13 RAY LaHOOD, BRIAN SANDOVAL,)
STATE OF NEVADA, and)
14 UNITED STATES OF AMERICA,)
)
15 Defendants)

16 **UNITED STATES OF AMERICA'S AMENDED MOTION TO EXTEND THE TIME TO**
17 **FILE A MOTION TO DISMISS COLTER'S COMPLAINT (DOCUMENT#1) AND**
18 **ORDER**
19 **(First Request)**

20 The United States of America ("United States"), by and through Daniel G. Bogden, United
21 States Attorney for the District of Nevada, and Daniel D. Hollingsworth, Assistant United States
22 Attorney, respectfully moves this Honorable Court for an Order to extend time, pursuant to Fed. R.
23 Civ. P. 6(b)(1)(A) and LR 6-1, until July 27, 2011, for the United States to file a Motion to Dismiss
24 the Complaint (Document #1). The Motion to Dismiss may be or may not be due on July 13, 2011.
The reasons for this motion for extension of time are the following.

25 The Assistant United States Attorney ("AUSA") has been unavailable for the past two weeks
26 on personal matters and will be unavailable for the next two weeks on personal matters. In addition

1 to his unavailability for four weeks, when the AUSA has been at work, he has been extremely busy
2 with numerous district court cases, appellate cases, and other work assignments. The United States
3 Department of Transportation is working on providing a information to this office concerning the
4 issues Colter has raised.

5 This Assistant United States Attorney called Richard Glen Colter, who indicated he opposed
6 this extension of time.

7 The Federal Defendants have not answered or otherwise responded by filing this motion for
8 an extension of time; therefore, the United States has not waived any rights including, but not limited
9 to, any Fed. R. Civ. P. 12(b) motions regarding the Complaint.

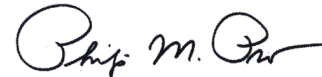
10 This motion is not submitted solely for the purpose of delay or for any other improper
11 purpose. The United States requests this Court to grant an extension of time pursuant to Fed. R. Civ.
12 P. 6(b)(1)(A) and LR 6-1.

13 DATED this 1st day of July, 2011.

14 DANIEL G. BOGDEN
15 United States Attorney

16 /s/DanielDHollingsworth
17 DANIEL D. HOLLINGSWORTH
18 Assistant United States Attorney

19
20 IT IS SO ORDERED:

21 

22 UNITED STATES DISTRICT JUDGE

23 DATED: __ July 7, 2011 _____
24
25
26

PROOF OF SERVICE

I, Daniel D. Hollingsworth, certify that the following individuals were served with copies of
**THE UNITED STATES OF AMERICA'S AMENDED MOTION TO EXTEND THE TIME TO
FILE A MOTION TO DISMISS COLTER'S COMPLAINT (DOCUMENT#1) AND ORDER
(First Request)** on July 1, 2011, by the below identified method of service:

First Class Mail

Richard Glen Colter
P.O. Box 11312
Pleasanton, California 94588

CM/ECF

Roger G. Madsen
rmadsen@ag.nv.gov
Counsel for Brian Sandoval and State of Nevada

/s/ DanielDHollingsworth
DANIEL D. HOLLINGSWORTH
Assistant United States Attorney